

REGULATION 6

FEEES

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RULE 601 PERMIT FEES

Adopted 05-24-77
(Amended 04-21-81, 06-07-83, 05-20-85, 12-03-85,
10-19-93, 08-08-96, 12-11-97, 06-11-98, 06-14-01)

This Rule is applicable to the Lake Tahoe, Sacramento Valley and Mountain Counties Air Basin portions of the District and requires that fees be paid for:

1. Filing of permit applications
2. Engineering evaluation (engineering analysis and emission reduction analysis)
3. Annual operation
4. Environmental documentation and air quality modeling
5. Transfer of ownership of equipment
6. Alterations or additions to equipment
7. Revision of permit conditions
8. Issuance of duplicate permit
9. Annual permit renewal based on emissions
10. Emission reduction credits
11. Synthetic minor source status requests
12. Air toxic emissions inventory and analyses

Federal, state or local governmental agencies or public districts shall pay the fees to the extent allowed under Chapter 2, Division 7, Title 1 of the Government Code (commencing with Section 6103) and Chapter 55, Part 3, Division 26 of the Health and Safety Code.

No Claim for refund for any fee required by this rule shall be honored unless such claim is submitted within 90 days after the fee was paid. The use of revenue derived from the application of this rule shall be governed by Health and Safety Code Section 42311.

A. Filing Fee

1. Except as provided in paragraph (F), subparagraph (A)(2), subparagraph (A)(3), and subparagraph (G)(2), every applicant filing for a permit, the revision of conditions, or emission reduction shall pay a filing fee as shown in Table 601-A.1, of the District Fee Schedule.
2. Applicants for Title V permits to operate, shall pay a filing fee as shown in Table 601-A.2, of the District Fee Schedule, for the initial permit application, and a filing fee as shown in Table 601-A.2, of the District Fee Schedule, for mandatory re-opening, non-administrative modification, or permit renewal, pursuant to Rule 507, FEDERAL OPERATING PERMIT PROGRAM.
3. Sources requesting Synthetic Minor status, pursuant to Rule 512, REQUEST FOR SYNTHETIC MINOR SOURCE STATUS, shall pay a filing fee as shown in Table 601-A.3, of the District Fee Schedule, unless a higher fee is required by another applicable schedule.
4. If an application for a permit is cancelled or is denied and such denial becomes final, the filing fee or transfer fee required herein shall not be refunded nor applied to any subsequent application.

B. Engineering Analysis and Evaluation Fee

1. Except as provided in paragraph (F) and subparagraph (G)(2), every applicant who files an application for a permit, including one for change of location, shall, in addition to the filing fee, pay within the time and upon the notification specified in subparagraph (B)(4), an engineering evaluation fee which includes the appropriate engineering analysis fee specified in paragraph (E) and an emissions reduction analysis fee specified herein when applicable. An emissions reduction analysis fee shall be paid when an applicant proposes, as part of a permit application, to reduce emissions of air contaminants from equipment to offset emissions of air contaminants from the equipment which is the subject of the permit application. In those circumstances where an application to accomplish the emissions reduction is required in addition to the application that proposes this reduction, the analysis fee will be assessed to the application requiring the reduction.

The emissions reduction analysis fee shall be as shown in Table 601-B, of the District Fee Schedule, per pound (calculated on a daily basis) of each air contaminant reduced.

Fees payable under this paragraph shall be paid within the time and upon the notification specified in subparagraph (B)(4).

2. With exception of the fees provided in Schedule 6 and Schedule 7, if more than one fee schedule is applicable, the governing schedule shall be that which results in the higher fee.
3. After the provisions for granting or denying an Authority to Construct as set forth in Division 26 of the Health and Safety Code and these Rules and Regulations have been complied with, the applicant shall pay the engineering analysis fee within the time and upon the notification specified in subparagraph (B)(4).
4. The applicant shall be notified, in writing, of the fees to be paid. Such notice may be given by personal service or by deposit, postpaid, in the United States mail and shall be due 30 days from the date of personal service or mailing. Non-payment of the fee within this period of time will result in cancellation of the application and voiding of the Authority to Construct. No further applications will be accepted from the applicant until such time as overdue engineering evaluation fees have been fully paid.
5. In the case of application(s) received for permits to operate equipment already constructed, the applicant shall pay the application filing fee as provided in subparagraph (A)(1). An engineering evaluation fee with any associated late fees as provided in paragraph (I) shall be paid at the time the permit to operate is granted or denied. Annual operating fees shall be paid as provided in subparagraph (C)(10). If at the time the permit to operate is granted or denied, it is determined that the annual operating fee had been based on the wrong schedule, the applicant shall be billed for or credited with the difference, as appropriate.
6. If an application for a permit is canceled within thirty days of filing, an engineering evaluation fee will not be charged if no action has been taken.

C. Annual Operating Fee

1. As soon as practicable on or after the effective date of this Rule, the Air Pollution Control Officer shall establish an annual operating fee due date for each permittee for all permits associated with the same premises. Thereafter, permits to operate shall be renewable as set forth below, subject to any other requirements of these Rules and Regulations and of state law, regarding validity, voiding or revocation of permits.

2. In those instances where a permit is due to expire on a date different than the annual operating fee due date established for the permittee, the permit may be renewed upon payment of an annual operating fee. Such fee shall be calculated based upon the appropriate schedule in paragraph (E) of this Rule, but prorated based upon the number of months between the expiration date of the permit and the permittee's annual operating fee due date.
3. In those instances where a permit is due to expire on the permittee's annual operating fee due date, the permit may be renewed upon payment of the annual operating fee prescribed in the appropriate schedule in paragraph (E).
4. An Authority to Construct which has not been canceled or voided shall be considered a temporary permit to operate on the date the applicant completes final construction and commences operation, pursuant to RULE 501 (A). For the purposes of this subparagraph, the date specified as the estimated completion date on the application for an Authority to Construct shall be considered the date of commencement of operation unless the applicant notifies the District in writing that operation will commence on another date. Such temporary permit to operate shall be valid for the period of time between commencement of operation and the applicant's next annual operating fee due date following commencement of operation. At that time, and each year thereafter, the annual operating fee for the temporary permit to operate shall be due in the amount prescribed in the appropriate schedule in paragraph (E). The fee shall be based upon the size, rating or capacity of the equipment covered by the temporary permit to operate, if any, as prescribed in paragraph (E).
5. The same annual operating fee due date shall apply from one change of ownership to another.
6. At least thirty days before the annual operating fee due date, the permittee will be notified by mail of the annual operating fee due and the due date. The annual operating fee for each permit shall be in the amount shown in the schedules set forth in paragraph (E).
7. Except as provided in subparagraph (8) below, if the annual operating fee is not paid when due, the fee shall be increased fifty (50) percent of the amount thereof, and the permittee shall thereupon be notified by mail of the increased fee. If the increased fee is not paid within 30 days after such notice, the permit will expire and no longer be valid and the permittee will be notified by mail.
8. An expired permit may be reinstated only by submitting a new application for a permit accompanied by an application fee and the payment in full of the amount of fees due at the time the previous permit expired.
9. No annual operating fee shall be required for a permit to operate gasoline fueling equipment which is exempted from installing vapor recovery systems under the provisions of RULE 213 or 214.
10. In the case of equipment operating, where an Authority to Construct was not issued, the annual operating fee will be due on the Company's next annual operating fee due date, following the submission of the completed application for permit to operate. If no annual renewal date has been established, the Air Pollution Control Officer will set one upon receipt of the application.

D. Annual Permit Fee Based On Emissions

1. The operator of all equipment operating under permit shall pay an annual permit fee based on the total weight of emissions of each of the contaminants specified in subparagraph (D)(2) from equipment on the premises. The fee established in this subparagraph is pursuant to the authority granted in Health and Safety Code Section 42311. Such fee shall be in addition to other fees payable under this Rule. As used in this paragraph, "premises" means one parcel of land, or continuous parcels of land under the same ownership or entitlement to use not including the parcels which are remotely located and connected only by land carrying a pipeline.
2. Each ton (rounded to the nearest ton) for any one of the following air contaminants: gaseous sulfur compounds (expressed as sulfur dioxide), total organic gases, oxides of nitrogen (expressed as nitrogen dioxide), or particulate matter; and in excess of 10 tons per year (rounded to the nearest ton) for carbon monoxide shall be assessed a fee as set forth in Table 601-D, of the District Fee Schedule.
3. The Air Pollution Control Officer shall determine the total emissions for the preceding year of each of the air contaminants listed in subparagraph (D)(2) from all equipment on the premises of facilities to which this paragraph applies. The Air Pollution Control Officer shall determine the emission factors applicable to each permit unit or group of permit units, and provide them to the operator upon request. In determining emission factors, the Air Pollution Control Officer shall use the best available data. "Emission Factor", as used in this subparagraph, means the amount of air contaminant emitted per unit of time or per unit of material handled, processed, produced or burned.
4. Notice and Late Filing Penalties
 - a. At least thirty days before the annual operating fee due date the permittee will be notified by mail of the annual permit fee based upon emissions due and the due date. The notice will include the fee specified in paragraph (D)(1) and the Air Pollution Control Officer's determination of emissions.
 - b. In the case that the annual operating fee based upon emissions is not paid when due, the fee shall be increased by twenty-five percent (25%) of the amount thereof, and the permittee shall thereupon be notified by mail of the increased fee. For each additional month that the emission fee remains unpaid after it is late, there shall be added interest of one and one-half percent (1-1/2%) per month. If the emission fee is timely paid, but the amount paid is later determined to be less than 90 percent of the full amount that should have been paid, the 25% increase shall be imposed as described herein above, but calculated on the difference between the amount actually paid and the amount that should have been paid.
 - c. If one hundred and twenty (120) days have elapsed since the notice to pay fee was sent and all emission fees have not been received, the Air Pollution Control Officer may take action to revoke such permits to operate (Health and Safety Code Section 42307). If permits to operate are revoked, they shall be immediately reinstated upon the payment by the permit holder of the required emission fees and accrued penalties.
5. No annual permit fee based upon emissions shall be required for the following equipment:
 - a. Vehicle fueling equipment. For the purpose of this subparagraph, "vehicle" has the same meaning as defined in Section 670 of the Vehicle Code.

- b. Equipment listed in paragraph (E)(7) deemed by the Air Pollution Control Officer to emit insignificant amounts of contaminants.

E. Schedules for the engineering analysis fee and annual operating fee

1. Schedule 1, Motor Horsepower Schedule:

Any equipment using motors as a power source shall be assessed a permit fee based on the cumulative total rated horsepower of all motors included in accordance with the schedule of Table 601-E.1, of the District Fee Schedule.

2. Schedule 2, Fuel Burning Schedule:

Any equipment in which fuel is burned, including cogeneration, with the exception of incinerators which are covered in Schedule 4, shall be assessed a permit fee based upon the design fuel consumption of the equipment expressed in thousands of British Thermal Units (BTU) per hour, using gross heating values of the fuel, in accordance with the schedule of Table 601-E.2, of the District Fee Schedule.

3. Schedule 3, Electrical Energy Schedule:

Any equipment which uses electrical energy, with the exception of motors covered in Schedule 1, shall be assessed a permit fee based on the total kilovolt ampere (KVA) ratings, in accordance with the schedule of Table 601-E.3, of the District Fee Schedule.

4. Schedule 4, Incinerator Schedule:

Any equipment designed and used primarily to dispose of combustible refuse by wholly consuming the material charged leaving only the ashes or residue shall be assessed a permit fee based on the schedule of the maximum horizontal inside cross sectional area, in square feet, of the primary combustion chamber of Table 601-E.4, of the District Fee Schedule.

5. Schedule 5, Stationary Container Schedule:

Any stationary tank, reservoir, or other container, with the exception of stationary storage tanks covered in Schedule 6 herein, shall be assessed a permit fee on the schedule of capacities in gallons or cubic equivalent of Table 601-E.5, of the District Fee Schedule.

6. Schedule 6, Gasoline Fueling Equipment Schedule:

Any gasoline fueling equipment at a single location including stationary gasoline storage tanks and dispensers, shall be assessed a single permit fee based on the number of gasoline dispensing nozzles, in accordance with the schedule of Table 601-E.6, of the District Fee Schedule.

7. Schedule 7, Permit Fee Exceptions:

The following equipment shall be assessed an engineering analysis fee and an annual operating fee in accordance with the schedule of Table 601-E.7, of the District Fee Schedule.

- a. Each permit of a dry cleaning plant.
- b. Equipment with a capacity less than 15,000 liters (4,000 gallons) used exclusively to mix solvents and surface coatings.

- c. Spray coating equipment operated outside of a control enclosure.
 - d. Vapor degreasing equipment using exclusively 1-1-1 trichloroethane, methylene chloride, trifluoromethane, or chlorinated-fluorinated hydrocarbons.
 - e. Portable abrasive blasting equipment.
 - f. Mobile asphalt or coal tar pitch roofing equipment.
 - g. Internal combustion engines of less than 4,000 brake horsepower driving electrical emergency generators.
 - h. Any equipment which is not included in any of the preceding Schedules.
8. Schedule 8, Engineering Analysis Time and Materials Labor Rate: This schedule shall apply to the Engineering Analysis of Paragraph (B) if the actual costs of the analysis exceed the fee determined under the applicable schedule of Schedules 1 through 7. The rate for time and materials shall be in accordance with Table 601-E.8, of the District Fee Schedule.

F. Change of Ownership or Name

- 1. When an application for change of ownership or name is filed, for equipment previously permitted, the applicant shall pay, in lieu of a filing fee and initial permit fee, the fee provided for in subparagraph (A)(1) and paragraph (B), a transfer fee of for each permit unit being transferred from one person to another, or for which the name is to be changed, in accordance with Table 601-F, of the District Fee Schedule, payable at the time the application is filed.

G. Alterations, Additions or Revisions

- 1. When an application is filed for a permit involving alterations or additions resulting in a change to any existing equipment for which a permit to operate was granted and has not expired in accordance with paragraph (C) of this Rule, the applicant shall pay a fee as provided in subparagraph (A)(1) and in addition shall pay engineering analysis fees based upon the increase in rating, capacity, or increase in the number of nozzles resulting from such change, as determined from the fee Schedules in paragraph (E), and an emissions reduction analysis fee as applicable. When there is no incremental increase in rating, capacity, or increase in the number of nozzles, the applicant shall pay as specified in subparagraph (A)(1) and in addition an engineering analysis fee equal to Step (A) of the appropriate fee Schedule in paragraph (E), and an emissions reduction analysis fee as applicable.
- 2. When an application is filed for a revision of conditions on a permit to operate, the applicant shall pay the fee provided for in subparagraph (A)(1), plus an emissions reduction analysis fee as applicable and the applicable fee based on time and materials of subparagraph (M)(1).

H. Duplicate Permits

A request for a duplicate permit shall be made in writing by the permittee after the destruction, loss or defacement of a permit. The fee specified in Table 601-H, of the District Fee Schedule, shall be charged for issuing a duplicate permit.

I. Late Fee

When equipment is built, erected, installed, altered, or replaced (except for identical replacement) without the owner or operator obtaining an Authority to Construct in accordance with RULE 501, the applicant shall pay the filing fee required by paragraph (A)(1) and one hundred fifty percent (150%) of the fees required by paragraph (B), and of one years' annual operating fees. The assessment of such late fee shall not limit the District's right to pursue any other remedy provided for by law.

J. Applicability of Fees

When an application is submitted for transfer of ownership under paragraph (F) of this Rule, and for alterations, additions, or revisions under paragraph (G), of this Rule, the paragraph resulting in the highest permit fee shall apply.

K. Credit for Solar Energy Equipment

Any permittee required to pay an annual permit renewal fee shall receive an annual fee credit for any solar energy equipment installed at the site where the equipment under permit is located.

1. Computation

The design capacity of the solar energy equipment expressed in thousands of British Thermal Units (BTU) per hour shall be used to determine the fee credit in accordance with the annual permit renewal fee provisions of subparagraph (E)(2) of this Rule.

2. Limitation

The solar energy credit shall not exceed the annual permit renewal fee for all permits at the site where the solar energy equipment is located.

L. Minor Source Permit Limitation Fee

New Minor Sources, as defined by Rule 511, POTENTIAL TO EMIT shall be assessed a one-time fee as specified in Table 601-L, of the District Fee Schedule, for the preparation of permit limiting conditions of operation and recordkeeping requirements, unless a higher fee is required by another applicable schedule.

M. Time and Materials Labor Rates

1. General Time and Materials Labor Rate: This rate shall be used to establish fees for emission reduction analysis required to establish the creditable emissions reductions of Rule 504, EMISSION REDUCTION CREDITS; work by District staff pursuant to Rule 603, ANALYSIS FEE; air toxic inventory, risk assessments, and reporting which are not including in the fees of Rule 610, AIR TOXICS HOT SPOTS FEES; reinspections that are required due to circumstances beyond the control of the District, and other such special studies or analysis by District staff. The general time and materials labor rate shall be as specified in Table 601-M.1, of the District Fee Schedule.

2. Title V Time and Materials Labor Rate: The time and materials rate for review and processing of Title V applications for initial permits, permit modification, mandatory permit re-opening, and Title V permit preparation shall be as specified in Table 601-M.2, of the District Fee Schedule.

3. Expedited Permit Processing Time and Materials Labor Rate: In addition to the applicable filing fees of Part A and engineering analysis fees of Part B for Authority to Construct

permits, applicants requesting the processing of a permit application in advance the normal schedule, based upon filing date, shall pay a time and materials labor rate as specified in Table 601-M.3, of the District Fee Schedule.

N. Pass Through of Charges

The actual reasonable and customary charges for the services of source testing contractors, analytical laboratories, air monitoring or inspection contractors, and other evaluation contractors, including reimbursement of the State, for services rendered to the District to determine the compliance and/or emissions of a facility may be assessed as a fee to that facility.

O. Annual Adjustment

All fees specified by this rule shall be automatically adjusted on June 1 of each year based on the change in annual California Consumer Price Index for the preceding calendar year

RULE 602 HEARING BOARD FEES

Adopted 10-15-79

(Amended 06-07-83, 10-19-93, 08-08-96, 12-12-96, 06-11-98, 06-14-01)

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100 GENERAL

101 PURPOSE: To recover the costs associated with petitions to the Hearing Board.

102 APPLICABILITY: The provisions of this rule apply to all portions of Placer County.

103 EXEMPTIONS: The Air Pollution Control Officer shall not be required to pay the fees specified in Section 301 of this rule.

200 DEFINITIONS (NOT INCLUDED)

300 STANDARDS

301 HEARING BOARD FEES: Every applicant or petitioner, to the Hearing Board for a variance or for the extension, revocation or modification of a variance, or for an appeal from a denial or conditional approval of an Authority to Construct or a Permit to Operate, shall pay a fee per petition as specified in Table 602 of the District Fee Schedule.

302 TRANSCRIPT FEES: Any person requesting a transcript of a hearing shall pay \$30.00 per hour for preparing the transcript.

303 ANNUAL ADJUSTMENT: All fees specified by this rule shall be automatically adjusted on June 1 of each year based on the change in annual California Consumer Price Index for the preceding calendar year.

400 ADMINISTRATIVE REQUIREMENTS (NOT INCLUDED)

500 MONITORING AND RECORDS (NOT INCLUDED)

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RULE 603 ANALYSIS FEE

Adopted 05-24-77

(Amended 10-15-79, 06-07-83, 10-19-93, 08-08-96)

This Rule is applicable to the Lake Tahoe, Sacramento Valley, and Mountain Counties Air Basin portions of the District.

- A. Whenever the Air Pollution Control Officer finds that an analysis of the emission from any source is necessary to determine the extent and amount of pollutants being discharged into the atmosphere which cannot be determined by visual observation, he may offer the collection of samples and the analyses made by qualified personnel of the Air Pollution Control District. The time required for collecting samples, making the analysis and preparing the necessary reports, but excluding time going to and from such premises shall be charged against the owner or operator of said premises in a reasonable sum to be determined by the Air Pollution Control Officer, which said sum is not to exceed the actual cost of such work.

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RULE 604 SOURCE TEST OBSERVATION AND REPORT EVALUATION

Adopted 05-24-77

(Amended 04-21-81, 06-07-83, 10-19-93, 08-08-96)

This Rule is applicable to the Lake Tahoe, Sacramento Valley, and Mountain Counties Air Basin portions of the District.

- A. A fee of \$220 shall be charged against the owner or operator of a source whenever the Air Pollution Control Officer finds that a source test is required and must be observed and the report evaluated by District personnel to determine the actual emissions from the source for the purpose of issuing a permit to operate.

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RULE 607 BURN PERMIT FEES

Adopted 09-07-93
(Amended 08-13-98, 12-10-98, 08-12-99, 06-14-01)

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100 GENERAL

101 PURPOSE: The purpose of this rule is to recover costs incurred with the implementation of burn permit issuance and other activities associated with Regulation III, and the provisions of Sections 41800 et seq. and Sections 41850 et seq. of the California Health and Safety Code.

102 APPLICABILITY

102.1 The provisions of this rule shall apply to any person who applies for a burn permit under the provisions of Regulation III and the provisions of Sections 41800 et seq. and Sections 41850 et seq. of the California Health and Safety Code.

- 102.1.1 Agricultural Field Crop Waste Burning
- 102.1.2 Agricultural Waste Burning Other Than Field Crop Waste
- 102.1.3 Fire Training Burning
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- 102.1.12 Right of Way, Levee, Ditch and Reservoir Burning
- 102.1.13 Wildland Vegetation Management Burning

102.2 The provisions of this rule shall apply to any person involved in a Rice Grower Transfer.

103 EXEMPTIONS

103.1 Exemption, Burning for Defensible Space: This rule does not apply to the burning, as defined in Subsection 207.2, of vegetation to establish a defensible space for fire protection purposes, to comply with local ordinances, such as Placer County Code Chapter 7, Article 3.

Prescribed fires for the purpose of fuel management are not considered Residential Defensible Space Burning for the purposes of this rule.

103.2 Exemption, Fire Agencies: This rule does not apply to permits issued to public Fire Agencies for burning as defined in Rule 317 - Wildland Vegetation Management Burning. This exemption is in recognition of in-kind services provided to the District pursuant to an approved memorandum of understanding.

103.3 Exemption, Fire Training Burn: This rule shall not apply to a burn permit issued for the instruction of public employees and/or volunteer personnel in the methods of fighting fires.

103.4 Exemption, Open Burning as Authorized by a Public Officer: This rule shall not apply to burning conducted by or permitted by a public officer:

- 103.4.1 For the prevention of a fire hazard which cannot be abated by any other means.

- 103.4.2 To persons engaged in the instruction of employees in methods of fighting fires on property used for industrial purposes.
- 103.4.3 Who sets, or causes to be set, backfires necessary to save life or valuable property pursuant to Section 4426 of the Public Resources Code.
- 103.4.4 Where disease or pest prevention exist and there is an immediate need for removal and no reasonable alternative exists.
- 103.5 Exemption, Recreational Open Fires: This rule shall not apply to the use of open outdoor fires for recreational purposes or for the cooking of food for human consumption.
- 103.6 Exemption, Residential Rubbish Burning: The provisions of this rule shall not apply to persons burning residential rubbish as defined in Rule 102, Definitions.
- 104 PUBLIC AGENCIES NOT EXEMPT:** This rule shall apply to federal, state and local governmental agencies or public districts to the extent allowed under Chapter 2, Division 7, Title 1 of the Government Code (commencing with Section 6100) and Sections 42311 et seq. of Division 26 of the California Health and Safety Code.

200 DEFINITIONS

For the purpose of this rule the following definitions shall apply. All other terms are as defined in Rule 102, Definitions or Regulation III - Open Burning.

- 201 AGRICULTURAL FIELD CROP WASTE:** a) Unwanted or unsellable materials produced wholly from the growing and harvesting of field crops for the primary purpose of making a profit, or providing a livelihood, or the conduct of agricultural research or instruction by an educational institution; b) Materials not produced from the growing and harvesting of field crops, but which are intimately related to the growing or harvesting of field crops, such as vegetation along roadways, fence lines, irrigation ditches, field borders and levees.
- 202 AGRICULTURAL WASTE OTHER THAN FIELD CROP WASTE:** a) Any unwanted or unsellable materials produced wholly from agricultural operations except field crops and materials not produced from agricultural operations, but which are intimately related to the growing or harvesting of crops; b) Materials not produced from the growing and harvesting of agricultural waste other than field crops, but which are intimately related to the growing or harvesting of crops, such as vegetation along roadways, fence lines, irrigation ditches, field borders and levees.
- 203 BURN PERMIT:** A permit issued by the APCD pursuant to Rule 302 and Section 41852 of the California Health and Safety Code.
- 204 BURN PLAN:** A site plan for managing a specific fire project.
- 205 FIRE TRAINING BURNING:** Burning of fires ignited for the instruction of employees and/or volunteer fire personnel in the methods of fighting fires.
- 206 FOREST MANAGEMENT BURNING:** As defined in Rule 102 and as regulated by Rules 316 and 317.

207 HAZARD REDUCTION BURNING:

207.1 Burning to reduce a fire hazard or health hazard which will have an imminent effect on life and property as determined by a Public Officer with jurisdiction.

207.2 Burning to dispose of brush cuttings on the property where the brush was grown when the cuttings resulted from brush clearance done in compliance with local ordinances to reduce fire hazard.

208 LAND DEVELOPMENT BURNING: The use of open outdoor fires for the disposal of material grown on property being developed for commercial or residential purposes.

209 MECHANIZED BURNERS: Burning in an enclosure for the purpose of enhancing fire temperatures and the speed and completeness of combustion.

210 OPEN BURNING OF NONINDUSTRIAL WOODWASTE AT DESIGNATED DISPOSAL SITES: The use of open outdoor fires for the disposal of nonindustrial woodwaste at disposal sites.

211 PERMIT TO BURN ON A NO BURN DAY: A permit issued by the APCO, or her/his designee, to burn on a day designated a no burn day as authorized by Section 41862 of the California Health and Safety Code, and Rule 306.

212 PROJECT: A project consists of a parcel of land to be burned that is located in an assigned compartment number or name, unit number or name, timber harvest number or name or plan, or a result of site conversion or rehabilitation, or as determined by the Air Pollution Control Officer or her/his designee.

213 PUBLIC OFFICER: A public officer is any fire, agricultural, health or a peace officer.

214 RANGE IMPROVEMENT BURNING: As defined in Rule 102.

215 RICE GROWER/TRANSFER FEE: A fee which applies to any rice grower who transfers, sells, or trades their annual allowable burn acres to another grower, in an inter- or intra-county transaction.

216 RIGHT OF WAY, LEVEE, DITCH AND RESERVOIR BURNING: The use of fires for right-of-way clearing by a public entity or for levee, ditch or reservoir maintenance.

217 WILDLAND VEGETATION MANAGEMENT BURNING: As defined in Rule 317.

300 STANDARDS

301 BURN PERMIT FEE: Every applicant for a burn permit shall pay a burn permit fee and any additional fees applicable under Section 302, Burn Permit Fee Schedules.

302 BURN PERMIT FEE SCHEDULES:

The following fees shall be assessed by the Placer County Air Pollution Control District.

302.1 Permits to burn agricultural field crop waste, as defined in Section 201, shall be assessed the fee specified in Table 607 - 302.1 of the District Fee Schedule.

302.2 Permits to burn agricultural waste other than field crop waste, as defined in Section 202, shall be assessed the fee specified in Table 607 - 302.2 of the District Fee Schedule.

- 302.3 Permits to conduct forest management burning, as defined by Section 206, shall be assessed the fee specified in Table 607 - 302.3 of the District Fee Schedule.
- 302.4 Permits to conduct hazard reduction burning, as defined in Subsection 207.1, shall be assessed the fee specified in Table 607 - 302.4 of the District Fee Schedule.
- 302.5 Permits to conduct land development burning, defined under Section 208, shall be assessed the fee specified in Table 607 - 302.5 of the District Fee Schedule.
- 302.6 Permits to conduct mechanized burning, as defined under Section 209, shall be assessed the fee specified in Table 607 - 302.6 of the District Fee Schedule.
- 302.7 Permits to conduct open burning of nonindustrial woodwaste at designated disposal sites, as defined by Section 210, shall be assessed the fee specified in Table 607 - 302.7 of the District Fee Schedule.
- 302.8 Permits to conduct burning on a no burn day, as defined under Section 211, shall be assessed the fee specified in Table 607 - 302.8 of the District Fee Schedule. (This fee is in addition to the fee paid for a regular APCD Burn Permit.) This permit fee is to be paid in advance, and will not be refunded, regardless of whether or not the special permit to burn is approved or denied.
- 302.9 Permits to conduct range improvement burning, as defined by Section 214, shall be assessed the fee specified in Table 607 - 302.9 of the District Fee Schedule.
- 302.10 Permits to conduct right of way, levee, ditch and reservoir burning as, defined by Section 216, shall be assessed the fee specified in Table 607 - 302.10 of the District Fee Schedule.
- 302.11 Permits to conduct wildland vegetation management burning, as defined by Section 217, shall be assessed the fee specified in Table 607 - 302.11 of the District Fee Schedule.
- 303 CANCELLATION OF BURN PERMIT:** If a burn permit is canceled, the fees paid shall not be refunded nor applied to any other APCD permit except acreage fees paid may be reimbursed if the acreage has not been burned at the time the Burn Permit is canceled.
- 304 PAYMENT OF BURN PERMIT FEES:** All burn permit fees shall be paid prior to the issuance of a burn permit. Application/plan review and inspection fees will be invoiced in 2-hour increments.
- 305 VALIDITY OF BURN PERMITS:** A burn permit is valid for only the amount of acreage for which fees have been paid pursuant to Section 300, Standards, of this rule.
- 306 TERM OF BURN PERMIT:** A burn permit, for which the applicable fees have been paid, shall be valid for 12 continuous months from the date of issuance, unless otherwise specified on the burn permit. Upon request, a permit for Forest Management Burning and Wildland Vegetation Burning may be granted a one time extension for up to 12 months duration. A Forest Management and Wildland Vegetation Management burn permit extension fee will be assessed at the end of the first 12 month permit cycle the fee specified in Table 607 - 306 of the District Fee Schedule.

307 RICE GROWER TRANSFER FEE: Any Rice Grower who transfers, sells, or trades her/his annual allowable burn acres to another grower, in an intercounty, or an intra county transaction shall pay a transfer fee specified in Table 607 - 307 of the District Fee Schedule. In the case of an intercounty trade, where both parcels involved in the transfer are in Placer County, the fee shall be applicable to the donor parcel as well as the receptor parcel.

308 HOURLY INSPECTION FEE: A fee may be charge for any APCD Burn permit which requires an inspection. The fee assessed shall be the fee specified in Table 607 - 308 of the District Fee Schedule.

400 ADMINISTRATIVE REQUIREMENTS

401 COMPLIANCE UPON ADOPTION OF RULE

Any person, subject to this rule shall comply with all the requirements upon September 7, 1993, and thereafter.

402 COMPLETION OF BURN PERMIT IN FULL

All information on the burn permit application shall be completed in full.

403 FAILURE TO PAY BURN PERMIT FEES

Failure to pay the burn permit fees in the time frame specified, shall be subject to a late fee charge. This late charge will be 50% of the original amount billed.

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RULE 608 CONTROL COUNCIL FEE

Adopted 09-07-93
(Amended 08-12-99)

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100 GENERAL

101 PURPOSE: The purpose of this rule is to establish the administrative requirements and the schedule of a Sacramento Valley Basinwide control council fee to be paid for:

- 101.1 All APCD Burning Permits
- 101.2 All APCD Stationary Sources Permits
- 101.3 All APCD Vapor Recovery Facility Permits

102 PUBLIC AGENCIES NOT EXEMPT: Federal, state and local governmental agencies or public districts shall pay for the APCD burn permit or APCD permit to the extent allowed under Chapter 2, Division 7, Title 1 of the Government Code (commencing with Section 6100) and Sections 42311 et seq. of Division 26 of the California Health and Safety Code.

103 EXEMPTIONS

- 103.1** Exemption, Fire Agencies: This rule does not apply to permits issued to public Fire Agencies for burning as defined in Rule 317 - Wildland Vegetation Management Burning. This exemption is in recognition of in-kind services provided to the District pursuant to an approved memorandum of understanding.
- 103.2** Exemption, Mountain Counties and Lake Tahoe Air Basins: Those permit holders in the Mountain Counties and Lake Tahoe Air Basins of Placer County are not subject to this rule.
- 103.3** Exemption, Residential Rubbish Burning: Nothing in the rule shall be construed as requiring persons doing residential rubbish burning as defined in Rule 102, Definitions, to pay a control council fee.

200 DEFINITIONS

For the purpose of this rule the following definitions shall apply. All other terms are as defined in Rule 102, Definitions.

- 201 APCD BURN PERMIT:** An APCD burn permit is defined as a burn permit issued by the APCD for all permissible burning except for Residential Rubbish Burning.
- 202 APCD PERMIT:** An APCD permit includes all permits issued by the Placer County Air Pollution Control District, including permits issued to stationary sources, vapor recovery facilities, and APCD burn permits.

300 STANDARDS

- 301 SACRAMENTO VALLEY BASINWIDE CONTROL COUNCIL SURCHARGE:** For the purpose of administering Sacramento Valley Basinwide air pollution control efforts, the Placer County Air Pollution Control District shall collect a \$5.00 surcharge per permit for all APCD permits issued each year in the Sacramento Valley Air Basin. All persons obtaining a permit must pay the \$5.00 surcharge prior to the issuance of an APCD permit.
- 302 CANCELLATION OF APCD BURN PERMIT:** If an APCD burn permit is canceled, the control council fee paid shall not be refunded nor applied to any other APCD permit.

303 CANCELLATION OF APCD PERMIT: If an APCD permit is canceled, the control council fee paid shall not be refunded nor applied to any other APCD permit.

400 ADMINISTRATIVE REQUIREMENTS

401 COMPLIANCE UPON ADOPTION OF RULE

Any person, subject to this rule shall comply with all the requirements upon September 7, 1993.

RULE 610 - AIR TOXICS "HOT SPOTS" FEES

Adopted 08-24-95
(Amended 12-12-96, 10-09-97, 07-16-98)

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100 GENERAL

101 PURPOSE: This purpose of this rule is to recover costs that are associated with the implementation of the Air Toxics "Hot Spots" Information and Assessment Act, beginning with Section 44300 of Division 26 of the California Health and Safety Code.

102 APPLICABILITY:

102.1 GEOGRAPHY: The provisions of this rule shall apply to all facilities located in Placer County, as defined by California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 1.5, Article 1, Section 60106, 60111 and 60113.

102.2 FACILITIES: This rule is applicable to any facility which manufactures, formulates, uses, or releases any of the substances listed pursuant to Section 44321 of the Health and Safety Code, or any other substance which reacts to form a substance so listed.

200 DEFINITIONS

For the purpose of this rule the following definitions shall apply. All other terms are as defined in Rule 102, Definitions.

201 DISTRICT UPDATE FACILITY: Any facility that has been prioritized by the district in accordance with Health and Safety Code Section 44360(a), and is consistent with the procedures of the California Air Pollution Control Officers Association (CAPCOA) "Air Toxics 'Hot Spots' Program Facility Prioritization Guidelines, July 1990". The facility is also required by the District to submit a quadrennial emissions inventory update pursuant to Health and Safety Code Section 44344 during the applicable fiscal year. The prioritization scores for cancer and non-cancer health effects must be both greater than 1.0 and equal to or less than 10.0.

202 EMISSIONS INVENTORY: An inventory of a facility's emissions as specified by Chapter 3 of Part 6 of Division 26 of the California Health and Safety Code.

203 FACILITY: Any building, structure, appurtenance, installation, and improvement.

203.1 Building, structure or emission unit includes all pollutant emitting activities which:

- a. Belong to the same industrial grouping, and;
- b. Are located on one property or two or more contiguous properties, and;
- c. Are under the same or common ownership, operation, or control or which are owned or operated by entities which are under common control.

203.2 Pollutant emitting activities shall be considered part of the same industrial grouping if:

- a. They belong to the same two-digit standard industrial classification code; or
- b. They are part of a common production process. (Common production process includes industrial process, manufacturing process and any connected processing involving a common material.)

- 204 INDUSTRYWIDE FACILITY:** Any facility included in a class that the district finds and determines meets either of the following conditions:
- (a) All facilities that release, or have the potential to release, less than ten tons per year of each criteria pollutant and are in a class that fall within the following four-digit Standard Industrial Classification Code:
 - 1) Autobody shops, as described by SIC Codes 5511-5521 or 7532; and
 - 2) Gasoline stations, as described by SIC Code 5541; and
 - 3) Dry cleaners, as described by SIC Code 7216; and
 - 4) Printing and publishing, as described by SIC Codes 2711- 2771 or 2782; or
 - (b) Releases from the facility can easily and generically be characterized and calculated.
- 205 OPERATOR:** The person who owns or operates a facility or part of a facility.
- 206 PLAN:** The emissions inventory plan that meets the conditions specified in Section 44342 of the California Health and Safety Code.
- 207 PLAN AND REPORT FACILITY:** Any facility that, by April 1 of the calendar year prior to the fiscal year, has been required by the district to prepare an individual plan and report in accordance with Sections 44340, 44341, and 44344 of the State of California Health and Safety Code. This includes facilities completing an update plan, an update report, and a quadrennial update category form.
- 207.1 **COMPLEX FACILITY:** A plan and report facility that has more than five processes as determined by a six-digit Source Classification Code (SCC).
- 207.2 **INTERMEDIATE FACILITY:** A plan and report facility that has three to five processes as determined by a six-digit SCC.
- 207.3 **SIMPLE FACILITY:** A plan and report facility that has one or two processes as determined by a six-digit SCC.
- 208 PRIORITIZATION SCORE GREATER THAN TEN (10.0) FACILITY:** Any facility that does not have an approved health risk assessment and has been prioritized by its district in accordance with Health and Safety Code Section 44360(a) using procedures that have undergone public review and that are consistent with the procedures presented in the California Air Pollution Control Officers Association (CAPCOA) "Air Toxics 'Hot Spots' Program Facility Prioritization Guidelines, July 1990", which has been approved by the State Board and is incorporated by reference herein, and the greater of the facility's prioritization scores for cancer and non-cancer effects is greater than 10.0.
- 209 PRIORITIZATION SCORE GREATER THAN TEN (10.0) FACILITY (COMPLEX):** Any facility that meets the criteria set forth in Section 208 and has more than five processes as determined by six-digit Source Classification Codes (SCC).
- 210 PRIORITIZATION SCORE GREATER THAN TEN (10.0) FACILITY (MEDIUM):** Any facility that meets the criteria set forth in Section 208, and has three to five processes as determined by six-digit SCC.
- 211 PRIORITIZATION SCORE GREATER THAN TEN (10.0) FACILITY (SIMPLE):** Any facility that meets the criteria set forth in Section 208, and has one or two processes as determined by six-digit SCC.

- 212 RISK OF 10.0 TO LESS THAN 50.0 PER MILLION FACILITY:** Any facility that has had its health risk assessment approved by the district in accordance with Health and Safety Code Section 44362 and whose risk assessment results meet either of the following criteria:
- 212.1 A total potential cancer risk, summed across all pathways of exposure and all compounds, of greater than or equal to 10.0, but less than 50.0 cases per million persons or,
 - 212.2 A total hazard index for each toxicological endpoint of greater than 1.0 and a total potential cancer risk, summed across all pathways of exposure and all compounds, of less than 50.0.
- 213 RISK OF 10.0 TO LESS THAN 50.0 PER MILLION FACILITY (COMPLEX):** Any facility that meets the criteria set forth in Section 212, and has more than five processes as determined by six-digit Source Classification Codes (SCC).
- 214 RISK OF 10.0 TO LESS THAN 50.0 PER MILLION FACILITY (MEDIUM):** Any facility that meets the criteria set forth in Section 212, and has three to five processes as determined by six-digit SCC.
- 215 RISK OF 10.0 TO LESS THAN 50.0 PER MILLION FACILITY (SIMPLE):** Any facility that meets the criteria set forth in Section 212, and has one or two processes as determined by six-digit SCC.
- 216 RISK OF 50.0 TO LESS THAN 100.0 PER MILLION FACILITY:** Any facility that has had its health risk assessment approved by the district in accordance with Health and Safety Code Section 44362 and whose risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of greater than or equal to 50.0, but less than 100.0 cases per million persons.
- 217 RISK OF 50.0 TO LESS THAN 100.0 PER MILLION FACILITY (COMPLEX):** Any facility that meets the criteria set forth in Section 216, and has more than five processes as determined by six-digit Source Classification Codes (SCC).
- 218 RISK OF 50.0 TO LESS THAN 100.0 PER MILLION FACILITY (MEDIUM):** Any facility that meets the criteria set forth in Section 216, and has three to five processes as determined by six-digit SCC.
- 219 RISK OF 50.0 TO LESS THAN 100.0 PER MILLION FACILITY (SIMPLE):** Any facility that meets the criteria set forth in Section 216, and has one or two processes as determined by six-digit SCC.
- 220 RISK OF 100.0 PER MILLION OR GREATER FACILITY:** Any facility that has had its health risk assessment approved by the district in accordance with Health and Safety Code Section 44362 and whose risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of greater than or equal to 100.0 cases per million persons.
- 221 RISK OF 100.0 PER MILLION OR GREATER FACILITY (COMPLEX):** Any facility that meets the criteria set forth in Section 220, and has more than five processes as determined by six-digit Source Classification Codes (SCC).
- 222 RISK OF 100.0 PER MILLION OR GREATER FACILITY (MEDIUM):** Any facility that meets the criteria set forth in Section 220, and has three to five processes as determined by six-digit SCC.

- 223 RISK OF 100.0 PER MILLION OR GREATER FACILITY (SIMPLE):** Any facility that meets the criteria set forth in Section 220, and has one or two processes as determined by six-digit SCC.
- 224 SOURCE CLASSIFICATION CODES OR SCC:** Number codes created by the United States Environmental Protection Agency used to identify processes associated with point sources that contribute emissions to the atmosphere.
- 225 STANDARD INDUSTRIAL CLASSIFICATION CODE OR SIC CODE:** Standard Industrial Classification Code which classifies establishments by the type of business activity in which they are engaged, as defined by the Standard Industrial Classification Manual, 1987, published by the Executive Office of the President, Office of Management and Budget, 1987, which is incorporated by reference.
- 226 STATE COSTS:** Cost which will be incurred by the State of California Air Resources Board and the Office of Environmental Health Hazard Assessment to implement and administer the Act.
- 227 STATE INDUSTRYWIDE FACILITY:** Any facility that (1) qualifies to be included in an industrywide emission inventory prepared by an air pollution control or air quality management district pursuant to Health and Safety Code Section 44323, (2) releases, or has the potential to release, less than ten tons per year of each criteria pollutant, and (3) is either of the following:
- 227.1 Any facility in one of the following four classes of facilities:
- a. Autobody shops, as described by SIC Codes 5511-5521 or 7532;
 - b. Gasoline stations, as described by SIC Code 5541;
 - c. Dry cleaners, as described by SIC Code 7216;
 - d. Printing and publishing, as described by SIC Codes 2711-2771 or 2782; or,
- 227.2 Any facility that has not prepared an Individual Plan and Report in accordance with sections 44340, 44341, and 44344 of the Health and Safety Code and for which the district submits documentation for approval by the Executive Officer of the State Board, verifying that the facility meets the requirements of Health and Safety Code Section 44323(a)-(d).
- 228 TRACKING FACILITY:** Any facility that has been prioritized by its district in accordance with Health and Safety Code Section 44360(a) using procedures that have undergone public review and that are consistent with the procedures presented in the California Air Pollution Control Officers Association (CAPCOA) "Air Toxics >Hot Spots" Program Facility Prioritization Guidelines, July 1990", which has been approved by the State Board and which is incorporated by reference herein, and the greater of the facility's prioritization scores for cancer and non-cancer health effects is greater than 10.0, and meets either one of the following criteria:
- 228.1 The facility that has had its health risk assessment approved by the district in accordance with Health and Safety Code Section 44362 and the risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of equal to or greater than 1.0 and less than ten (10) cases per million persons and a total hazard index for each toxicological endpoint both acute and chronic of less than or equal to 1.0, or

228.2 The facilities that has had its health risk assessment approved by the district in accordance with Health and Safety Code Section 44362 and the risk assessment results show a total hazard index for each toxicological endpoint either acute and chronic of greater than or equal to 0.1, but less than or equal to 1.0, and a total potential cancer risk, summed across all pathways of exposure and all compounds, of less than ten (10) cases per million persons.

229 TRACKING FACILITY (COMPLEX): Any facility that meets the criteria set forth in Section 230, and has more than five processes as determined by six-digit Source Classification Codes (SCC).

230 TRACKING FACILITY (MEDIUM): Any facility that meets the criteria set forth in Section 230, and has three to five processes as determined by six-digit SCC.

231 TRACKING FACILITY (SIMPLE): Any facility that meets the criteria set forth in Section 230, and has one or two processes as determined by six-digit SCC.

232 UNPRIORITIZED FACILITY: Any facility that has not been prioritized by its district in accordance with Health and Safety Code Section 44360(a) using procedures that have undergone public review.

300 STANDARDS

301 FEE SCHEDULE:

Any stationary source subject to this rule shall pay an annual toxics "Hot Spots" fee based on its facility category as set forth in Table A.

Table A			
<i>FEE CATEGORY</i>	<i>DESCRIPTION</i>	<i>FACILITY TYPE</i>	<i>FEE PER FACILITY</i>
A	INDUSTRYWIDE FACILITY	N/A	\$90.00
B	DISTRICT UPDATE FACILITY	N/A	\$125.00
C	UNPRIORITIZED FACILITY	All	\$1,936.72
D	TRACKING FACILITY	Simple	\$183.59
		Medium	\$299.79
		Complex	\$367.21
E	PRIORITIZATION SCORE GREATER THAN TEN (10.0) FACILITY	Simple	\$1,936.72
		Medium	\$2,172.75
		Complex	\$2,397.88
F	RISK OF 10.0 TO LESS THAN 50.0 PER MILLION FACILITY	Simple	\$3,677.55
		Medium	\$4,078.94
		Complex	\$4,243.63
G	RISK OF 50.0 TO LESS THAN 100.0 PER MILLION FACILITY	Simple	\$5,119.39
		Medium	\$5,437.27
		Complex	\$5,879.40
H	RISK OF 100.0 PER MILLION OR GREATER FACILITY	Simple	\$6,203.84
		Medium	\$6,561.83
		Complex	\$6,941.40

400 ADMINISTRATIVE REQUIREMENTS

- 401 NOTIFICATION OF FEE DUE:** The operator of the facility for which the fee is assessed will be notified by mail of the fee due and payable and the date the fee is due. The payment due date shall be no earlier than 30 days after the date the fee notice is mailed.
- 402 FEE PENALTIES:** If all fees due have not been received within 60 days after the noticed date to pay such fees, the APCO may assess a penalty of not more than 100% of the assessed fee in accordance with Section 44380 (c) of the State of California Health and Safety Code. If payment is not made within 120 days after receipt of the late payment penalty notice the District may initiate action to revoke all Permits to Operate in accordance with Health and Safety Code Section 42307. A Permit to Operate revoked for nonpayment of fees shall be reinstated only upon payment of such overdue fees and accrued penalties.